

Appln. No.: 09/630,534
Amendment Dated March 18, 2004
Reply to Office Action of January 14, 2004

MATP-598US

Remarks/Arguments:

Claims 1 - 15 are pending in the application. All claims are presently rejected. The Applicant requests reconsideration of claims 1-15.

Claims 1 and 4-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. US2003/0066085 A1 to Boyer et al. (herein Boyer). Claim 1, as amended, contains at least one limitation not found in Boyer, namely:

- (b) placing a plurality of time selection fields on the display, the plurality of time selection fields representing respective incremental time indexes having respectively different magnitudes;
- (c) selecting one time selection field of the plurality of time selection fields;
- (d) activating the selected time selection field to determine the selected incremental time index;
- (e) calculating a new time of transmission for display by adding the selected incremental time index to one of the times of transmission currently displayed;

Basis for this amendment may be found at page 8, line 14 through page 11, line 14.

Boyer does not disclose or suggest the use of multiple time selection fields, the use of an incremental time index or the calculating of a new time of transmission for display by adding the incremental time index to one of the times of transmission currently displayed.

In Boyer, a user is presented with a "partial" calendar placed on an electronic program guide (EPG) display to select a day/date to view. For example, the user may be presented with the days of the week, e.g., Monday through Sunday. To view program listings for a particular day, e.g., Monday, the user selects the Monday field. The system then calculates a new time for the EPG to display based on the selection. Regardless of the current day or time displayed on the EPG in Boyer, if the Monday field is selected, the electronic program guide always displays program listings for Monday of the selected week. Boyer does not disclose or suggest that the selected date is an *incremental* time index. Thus, in Boyer to implement 24 hour time shifting, the EPG must display multiple fields that allow a user to select the particular day, i.e., 24 hour period, they desire.

Appln. No.: 09/630,534
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MATP-598US

In the Office Action, it is asserted that Boyer discloses an incremental time index because "up/down arrows on the right are used to navigate earlier or later time periods respectively." Applicants respectfully disagree with this assertion. The up and down arrows 226 and 228 on the right of Figure 16 scroll through the channels in the current time frame. (See paragraph 103). The arrows 222 and 224 are described as "cursors [that] are used to navigate to earlier or later time periods," but there is no explanation of how this occurs. Thus, there is no basis in Boyer for any control that provides an incremental time index. Even if such disclosure existed, however, the Interface disclosed by Boyer would not meet the limitations of the amended claims which require "a plurality of time selection fields representing respective incremental time indexes having respectively different magnitudes."

Thus, Boyer is unlike the present invention in which multiple incremental time indexes associated with respectively different incremental time indexes are used to select one of the time indexes in response to an activating step. By determining an incremental time index, the present invention is able to use a single field to incrementally navigate through an EPG, e.g., in 6 hour, 24 hour, 168 hour increments, etc. Accordingly, EPGs employing a time index associated with a predetermined time interval of the present invention provide incremental navigation using a single field, rather than the multiple fields needed by the art of record, e.g., Boyer, to perform a similar operation. As screen real estate is a precious commodity, it is desirable to minimize the area required for user interface controls, which reduce the amount of actual content displayed by the EPG. Thus, the time index of the present invention offers an advantageous user interface control for incremental navigation using less screen real estate than controls found in the art of record.

Boyer is devoid of any teaching or suggestion of the multiple time selection fields or of any incremental time index as required by amended claim 1. Since Boyer does not teach each and every element of independent claim 1, claim 1 is not anticipated by Boyer. Further, the use of multiple time selection fields for selecting incremental time indexes having respectively different magnitudes is nowhere taught or even suggested by any of the art of record. Accordingly, claim 1 is not subject to rejection under 35 U.S.C. § 102(e) in view of Boyer and is not subject to rejection under 35 U.S.C. § 102 or 103 in view of the art of record.

Appln. No.: 09/630,534
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MATP-598US

Claims 4 - 7 which depend directly from claim 1 and contain all the limitations thereof, are patentable for at least the reason that claim 1 is not subject to rejection under 35 U.S.C. § 102(e) in view of Boyer.

Claims 8 and 10 - 15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,880,768 to Lemmons et al. (herein Lemmons). Claim 8 includes at least one limitation that is not found in Lemmons, namely:

- a plurality of time selection fields for selecting respective incremental time indexes responsive to an action input, the respective incremental time indexes having respectively different magnitudes;

- a calculator for calculating a new time of transmission for display by adding the selected incremental time index to a time value in the current time interval;

Lemmons discloses an EPG. The EPG of Lemmons is a menu driven system in which a user uses a series of menus to access date selection fields and time period selection fields, e.g., morning, mid-afternoon, afternoon. By selecting a date from a menu, e.g., the first of the month, the user is presented with programs for the first of the month. Each time the user selects the first of the month the user is presented with programming for the first of that particular month regardless of the information currently being displayed.

This is unlike the present invention, which enable access of program guide information at predetermined time intervals relative to the currently displayed time interval using a time selection field. Thus, because the current invention allows selection of an incremental time index, from among a plurality of incremental time indexes having respectively different magnitudes, and then allow display of the new transmission time by adding the selected incremental time index to a time value in the current time interval, the present invention is able to use a single field to incrementally navigate through an EPG. As described above, the use of a single field for incremental navigations provides an advantageous user interface control that uses less screen real estate for incremental navigation than controls found in the art of record.

Lemmons does not disclose accessing program guide information at predetermined time intervals relative to the currently displayed time interval as recited in claim 8. Since Lemmons does not teach each and every element of independent claim 8, claim 8 is not anticipated by Lemmons. Further, none of the art of record teach or even suggest accessing program guide

Appln. No.: 09/630,534
Amendment Dated March 18, 2004
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MATP-598US

information at predetermined time intervals relative to a currently displayed time interval. Accordingly, claim 8 is patentable over the art of record and the rejection of claim 8 should be withdrawn.

In the Office Action, it is asserted that, "Lemmons teaches accessing the program guide information at a predetermined time interval from the transmission time displayed on the display (display program guide information at a selected time interval such as a day of month or time intervals of day)." Applicants respectively disagree with this assertion. Lemmons teaches only selection of absolute times, not time intervals *from* the transmission time displayed on the display. For example, a selection of the "morning" time slot would produce the same result if it were selected at 5:00pm, 8:00pm or midnight. Similarly, the selection of a particular date on the calendar produces the same result on any day that it is selected. Thus, Lemmons does not meet the requirement that the selection is for a time relative to a time displayed on the displayed device and certainly not an incremental time index that is added to a displayed time as required by amended claim 8. Accordingly, claim 8 is not subject to rejection under 35 U.S.C. § 102(b) in view of Lemmons et al.

Claims 10 - 15 which depend directly from claim 8, and contain all the limitations thereof, are not subject to rejection under 35 U.S.C. § 102(b) in view of Lemmons et al. for at least the reasons as claim 8.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer. Claims 2 and 3 depend either directly or indirectly from claim 1 and, therefore, contain all the limitations thereof. Since claim 1 includes features that are neither taught nor suggested by Boyer, claims 2 and 3 also include limitations that are neither taught nor suggested by Boyer. Thus, claims 2 and 3 are not subject to rejection under 35 U.S.C. § 103(a) in view of Boyer et al. for at least the reason that claim 1 is not is not subject to rejection under 35 U.S.C. § 102(e) in view of Boyer.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lemmons. Claim 9 depends from claim 8 and, therefore, contains all the limitations thereof. Since claim 8 includes features that are neither taught nor suggested by Lemmons, claim 9 also includes limitations that are neither taught nor suggested by

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MATP-598US

Lemmons. Accordingly, claim 9 is not subject to rejection under 35 U.S.C. § 103(a) in view of Lemmons et al. for at least the reasons that claim 8 is not subject to rejection under 35 U.S.C. § 102(b) in view of Lemmons.

In view of the foregoing amendments and remarks, Applicants request that the Examiner reconsider and withdraw the rejection of claims 1-15.

Respectfully submitted,



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KNN/tmb

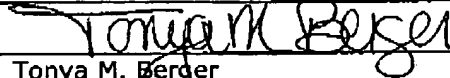
Dated: March 18, 2004

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March 18, 2004



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